

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

IRVIN CARTAGENA,

Defendant.

22-CR-92 (RA)


ORDER

RONNIE ABRAMS, District Judge:

On August 18, 2023, Irvin Cartagena was sentenced principally to a term of imprisonment of 120 months. By letter received on May 3, 2024, Mr. Cartagena requested that this Court grant a sentence reduction pursuant to Amendment 821 to the Sentencing Guidelines, which went into effect on November 1, 2023 and applies retroactively. The United States Probation Department has issued a report stating its position that Mr. Cartagena is precluded from receiving a sentence reduction because he fails to meet the eligibility criteria. Specifically, it states that he neither received an enhancement for committing the instant offense while under a criminal justice sentence nor had zero criminal history points. The Court has considered Mr. Cartagena's submission and the record in this case and agrees with the Probation Department.

It is hereby ORDERED that Mr. Cartagena's motion is denied. He is precluded from receiving a sentence reduction because he failed to meet the eligibility criteria. The Clerk of Court is respectfully directed to mail a copy of this order to Mr. Cartagena.

SO ORDERED.



Ronnie Abrams
United States District Judge

Dated: June 7, 2024
New York, New York